

WEINER LAW GROUP_{LLP}



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December 1, 2021

Via Electronic Filing

Clerk, United States District Court
Martin Luther King Building
& U.S. Courthouse
50 Walnut Street, Room 4015
Newark, NJ 07101

Re: Oliveira, Adriana v. Costco Wholesale Corporation, et al.
Docket No.: HUD-L-4277-21
Our File No.: COST-152

Dear Sir/Madam:

Enclosed please find Petition for Removal on behalf of Defendant, Costco Wholesale Corporation. Please file same. By copy of this letter, we are advising our adversary of this Petition.

Thank you for your courtesy in this regard.

Respectfully submitted,

LAWRENCE M. BERKELEY
A Member of the Firm

Enclosures.

cc: Clerk, Superior Court of New Jersey, Hudson County (via electronic filing)
Donald Werner, Esq. (via email – donaldwernerlaw@aol.com)

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Attorneys for Defendant, Costco Wholesale Corporation

Our File No.: COST-152

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ADRIANA OLIVEIRA

Plaintiff

vs.

**COSTCO WHOLESALE WAREHOUSE,
JANE DOE DRIVER, JOHN DOE 1-5,
Names Being Fictitious and Unknown, and
ABC Corporation 1-5, Names Being
Fictitious and Unknown,**

Defendants

CIVIL ACTION NO.:

PETITION FOR REMOVAL

Petitioner, Costco Wholesale Corporation, by its attorneys, Weiner Law Group, LLP, respectfully petitions the United States District Court for the District of New Jersey as follows:

1. This case was commenced on November 3, 2021 in the Superior Court of New Jersey, Law Division, Hudson County. Suit is identified in the Superior Court as Adriana Oliveira v. Costco Wholesale Corporation, et al., Docket No. HUD-L-4277-21. (See Exhibit A).

2. Costco Wholesale Corporation first received a copy of the Complaint on November 4, 2021 when Plaintiff caused a copy to be served upon the subject Costco warehouse. (See Exhibit B).

3. The filing of this Petition for Removal is timely because it is filed within thirty days of the date Costco Wholesale Corporation first received notice of the lawsuit.

4. Plaintiff's Complaint in the Superior Court of New Jersey, Law Division, Hudson County, asserts damages of a non-specified amount. Plaintiff allegedly sustained injuries as a result of an incident involving a motorized shopping cart within the Bayonne, New Jersey Costco warehouse. As such, Defendant Costco Wholesale Corporation believes the amount in controversy exceeds \$75,000, exclusive of interest and costs.

5. Costco Wholesale Corporation is informed and believes that Plaintiff is an individual citizen of the State of New Jersey.

6. Defendant/petitioner, Costco Wholesale Corporation, is a Washington corporation and its principal place of business is 999 Lake Drive, Issaquah, Washington 98027.

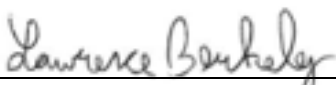
7. Therefore, complete diversity exists among the parties.

8. Accordingly, this action is removable to this Court pursuant to 28 U.S.C. § 1441.

WHEREFORE, Petitioner, Costco Wholesale Corporation, Defendant in the action described herein, which is currently pending in the Superior Court of the State of New Jersey, Law Division, Hudson County, Docket No. HUD-L-4277-21, prays that this action be removed therefrom to this Court.

WEINER LAW GROUP LLP
Attorney for Defendant, Costco Wholesale Corp.

Dated: December 1, 2021

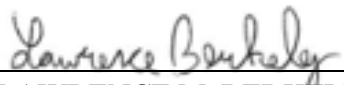
BY: 

LAWRENCE M. BERKELEY, ESQ.
(LMB-7706)

I certify that a true copy of the Summons and Complaint filed in the Superior Court of the State of New Jersey, County of Hudson, is annexed hereto as Exhibit A. A copy of the proof of service is annexed hereto as Exhibit B.

WEINER LAW GROUP LLP
Attorney for Defendant, Costco Wholesale Corp.

Dated: December 1, 2021

BY: 
LAWRENCE M. BERKELEY, ESQ.
(LMB-7706)